



LAW OFFICES OF  
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July 16, 2021

**Via Email to: Garfield.goodrum@gdrmlaw.net**

Garfield Goodrum  
Garfield Goodrum, *Design Law*  
7 Hanover Street, Suite 302  
Hanover, NH 03755

Re: Emerson Creek Pottery, Inc. v. Countryview Pottery Co., et al.  
U.S. District Court for the Western District of Virginia  
Docket No. 20 CV 54  
Our File No.: 673/992

Dear Mr. Goodrum:

I am writing to supplement Defendants' responses to Plaintiff's discovery requests, in response to emails between our offices dated June 4, 2021 and correspondence from your office dated June 15, 2021. Attached hereto are documents Bates-stamped ECE 363-681, which are all produced as "confidential - attorneys' eyes only," as they contain financial information related to sales which would give a competitor an economic advantage.

363-399 2016 All sales no EC pottery  
400-403 2016 Mud Pie ceramic sales  
404-413 2016 Mud Pie non-ceramic sales  
414-426 2016 Sales EC pottery  
427 2016 Sales Signature Housewares

428-470 2017 All sales no EC pottery  
471-472 2017 Mud Pie ceramic sales  
473-478 2017 Mud Pie non-ceramic sales  
479-496 2017 Sales EC pottery  
497 2017 Sales Signature Housewares

498-530 2018 All sales no EC pottery  
531-532 2018 Mud Pie ceramic sales  
533-537 2018 Mud Pie non-ceramic sales  
538-553 2018 Sales EC pottery  
554 2018 Sales Signature Housewares

555-589 2019 All sales no EC pottery



590-592	2019 Mud Pie ceramic sales
593-599	2019 Mud Pie non-ceramic sales
600-612	2019 Sales EC pottery
613	2019 Sales Signature Housewares
614-634	2020 All sales no EC pottery
635-636	2020 Mud Pie ceramic sales
637-642	2020 Mud Pie non-ceramic sales
643-645	2020 Sales EC pottery
646	2020 Sales Signature Housewares
647-648	EC pottery tearoom order 071717
650-657	Restaurant sales by date May 1-Dec. 31 2016
658-665	Restaurant sales by date May 1-Dec. 31 2017
666-673	Restaurant sales by date May 1-Dec. 31 2018
674-681	Restaurant sales by date May 1-Dec. 31 2019

Listed year references sales in that year from May 1<sup>st</sup> through December 31<sup>st</sup>. All operations are closed from January 1<sup>st</sup> through April 30<sup>th</sup>. There were no operations in 2020 due to the COVID-19 shutdown.

“All sales no EC pottery” refers to all sales of goods not manufactured by Plaintiff. Goods manufactured by Mud Pie and Signature Housewares are sold in the gift shop only. “Mud Pie ceramic sales” refers to ceramic sales; “Mud Pie non-ceramic sales” refers to non-ceramic sales. “Sales Signature Housewares” refers to sales of Signature Housewares goods, which are ceramic. Both Mud Pie and Signature Houseware goods have historically been sold with Plaintiff’s knowledge without complaint. No other manufacturers’ ceramic goods are sold.

“Sales EC pottery refers to all sales of Plaintiff’s goods. These goods are only sold in the gift shop.

“EC pottery tearoom order 071717” refers to the order of Plaintiff’s manufactured goods sold by Plaintiff on July 17, 2017, for the restaurant and/or tea room. Other than these goods, no other goods manufactured by Plaintiff have been used in the restaurant and/or tea room. These goods were sold with Plaintiff’s knowledge that they would be used in the restaurant and/or tea room without any restrictions.

“Restaurant sales by date May 1-Dec. 31, 20xx” refers to all sales in the restaurant for the listed year. No pottery goods are used in connection with the restaurant. Sales are from meals served.

All goods have historically been sold in the gift shop, not in any other part of the grounds. Goods are not sold in connection with any events or yoga. Good are not sold or displayed in the restaurant. The gift shop has been closed since the COVID-19 shutdown in 2020 and has not re-

opened. Some of Plaintiff's pottery was on the walls of the restaurant through the beginning of 2019, with Plaintiff's knowledge and without restriction; this was all removed in 2019.

Defendants object to production of any financial documentation in connection with sales for weddings, wine events, farmer marketplace events, business events, yoga, or the cookbook, as no pottery is used or sold in connection with those activities, and therefore, they are irrelevant and not reasonably calculated to lead to discoverable evidence.

The produced documentation includes the details of individual sales of goods. There are no additional receipts in Defendants' possession.

Defendants in good faith have responded to Plaintiff's discovery requests.

Very truly yours,

LAW OFFICES OF McLAUGHLIN & ASSOCIATES, P.C.



Kenneth S. McLaughlin, Jr.

KSM/pm

Cc: Henry Willett; Larry Laubscher

Attachments (ECE 363-681 ATTY EYES ONLY)